

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

IAN LUCAS,

Plaintiff,

v.

**VANDERBILT UNIVERSITY, and
VANDERBILT UNIVERSITY SCHOOL
OF NURSING,**

Defendants.

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No. _____

NOTICE OF REMOVAL

Pursuant to 28 U.S.C. §§ 1331, 1441, and 1446, Defendants Vanderbilt University and Vanderbilt University School of Nursing¹ hereby file this Notice of Removal (“Notice”), removing to the United States District Court for the Middle District of Tennessee the case brought by Plaintiff Ian Lucas (“Plaintiff”) in the Circuit Court for the State of Tennessee, Davidson County, Civil Action Docket Number 24C2481 (“Action”).

In support of its Notice and grounds for removal, Defendants state as follows:

1. On October 6, 2024, Plaintiff filed the Action, under seal, against Defendants. A redacted copy of the initial complaint filed in the Action (the “Complaint”) is attached hereto as **Exhibit A.**² Defendant Vanderbilt University was served with the Complaint on October 17, 2024.

¹ Vanderbilt University School of Nursing is not a distinct entity from Defendant Vanderbilt University. Insofar as Plaintiff’s decision to name Vanderbilt University School of Nursing as a separate Defendant requires the School of Nursing to join in this Notice of Removal, the School of Nursing does so.

² The Presiding Judge of the State Court issued a preliminary determination that the Complaint be filed under seal pending further evaluation upon assignment. To date, the Complaint remains sealed with no further Order. As “all injunctions, orders, and other proceedings had in such action prior to its removal shall remain in full force and effect until dissolved or modified by the district court,” the accompanying Exhibit A, is redacted. 28 U.S.C.A. § 1450.

2. The Complaint sets forth a claim for relief under the Americans with Disabilities Act (“ADA”), 42 U.S.C. §§ 12101 et seq., the Family Educational Rights and Privacy Act (“FERPA”), 20 U.S.C. § 1232g, and Section 504 of the Rehabilitation Act of 1973, 42 USCA § 504. (Ex. A, Parts VII, IX, XVI). Thus, the Court has original jurisdiction over this action pursuant to 28 U.S.C. § 1331.³

3. This Notice of Removal is filed within thirty (30) days of Vanderbilt’s receipt of the Complaint and is therefore timely under 28 U.S.C. § 1446(b).

4. This Court may assert supplemental jurisdiction over the remaining claims pursuant to 28 U.S.C. Code § 1367(a).

5. Venue for this removal action is proper pursuant to 28 U.S.C. § 1441, because the United States District Court for the Middle District of Tennessee is the district embracing the place wherein the state court action was pending.

6. A Notice of Filing Notice of Removal will be filed in the Circuit Court for the State of Tennessee, Davidson County, with copies served on Plaintiff, pursuant to 28 U.S.C. §§ 1446(a) and (d), attached hereto as **Exhibit B**.

7. In accordance with 28 U.S.C. § 1446(a), copies of all process, pleadings, and orders served on the Defendants are attached hereto as **Exhibit C**.⁴

³ Plaintiff has contacted Vanderbilt’s counsel regarding a change of address to Post Mail Box Address: PMB 61 Elizabethtown, NC, 28337. To the extent that Plaintiff’s change of address is reflective of a change of domicile, Vanderbilt asserts this Court has diversity subject matter jurisdiction over Plaintiff’s claims under 28 U.S.C. § 1332. Vanderbilt is a citizen of Tennessee. Upon information and belief, based on communication from the Plaintiff, the amount in controversy exceeds \$75,000. 28 U.S.C. § 1332(a).

⁴ Pursuant to the preliminary determination of the Presiding Judge, five documents remain under seal. Vanderbilt was served, and can access, only one of those documents – the Complaint. Under 28 U.S.C.A. § 1450, Vanderbilt includes a redacted copy of the Complaint in **Exhibit C**.

8. All Defendants have joined in the removal of this action. 28 U.S.C. § 1446(b)(2)(A).

9. By filing this Notice of Removal, Defendants do not waive any defenses, including without limitation, all the defenses specified in Fed. R. Civ. P. 12.

WHEREFORE, Vanderbilt hereby gives notice that the above-referenced action now pending against it in the Circuit Court for the State of Tennessee, Davidson County, has been removed therefrom to this Court.

Respectfully submitted,



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Attorneys for Vanderbilt

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Notice of Removal has been sent via e-mail to the following individuals on November 15, 2024:

Ian Lucas
PMB 61 Elizabethtown
North Carolina, 28337
ian.h.lucas@protonmail.com

Plaintiff Pro Se

A handwritten signature in black ink, appearing to read "Matthew Horton II", written over a horizontal line.

Matthew "JP" Horton II